

Order Number: # 03-12-03-23-38



**U.S. Department of Agriculture, U.S. Forest Service
Tonto National Forest
Mesa Ranger District**

Lower Salt River Seasonal Bald Eagle Closures

PROHIBITIONS

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a), the following is prohibited on the National Forest System (NFS) lands in the Mesa Ranger District, Tonto National Forest, described below and shown on the attached map incorporated into this Order as Exhibits A & B (the "Described Areas"):

1. Going into or being upon the Described Area which is closed for the protection of a threatened, endangered, rare, unique, or vanishing species of bird. 36 C.F.R. § 261.53(a).

EXEMPTIONS

Pursuant to 36 C.F.R. § 261.50(e), the following persons are exempt from this Order:

1. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order), specifically exempting them from this Order or a written determination by a Forest Service authorized officer that a permit is not required under 36 C.F.R. § 251.50(e)(1) or (2)].
2. Any Federal, State, or Local Officer, or member of an organized rescue or firefighting resource in the performance of an official duty.
3. Persons affiliated with the Maricopa Audubon Society or the Arizona Bald Eagle NestWatch Program while engaged in their official duties.

DESCRIBED AREAS

All National Forest System lands within the boundaries as depicted in Exhibits A and B, and more particularly described as follows:

Goldfield Area (Exhibit A).

The Described Area includes portions of Section 33 and 34, Township 3 North, Range 7 East, specifically, all National Forest System (NFS) lands within the boundary starting at the north side of the Salt River, directly across from the Goldfield Recreation Site at reference point 33°33.394' N x -111°37.331' W, then following north approximately 0.5 miles to reference point 33°33.845' N x -111°37.339' W, then following west for approximately 0.65 miles to reference point 33°33.844' N x -111°38.013' W, then following southwest for 0.3 miles to reference point 33°33.632' N x -111°38.212' W, then following generally south along the eastern cliff edge for 0.4 miles to the north side of the Salt River at coordinates 33°33.283' N x -111°38.174' W, then following east along the north side of the Salt River for approximately 1 mile, back to the starting point at the north side of the Salt River directly across from the Goldfield Recreation site, as depicted in Exhibit A.

Bulldog Area (Exhibit B).

The Described Area is within Township 3 North, Range 8 East, Sections 33 and PB48 and Township 2 North, Range 8 East, Sections PB39-PB41, specifically all NFS lands within the boundary starting at reference point 33°33.445' N x -111°31.857' W, on the Salt River, 0.7 miles south of Stewart Mountain Dam on Saguaro Lake, then following generally southwest along the southern river bank of the Salt River approximately 1.5 miles to Unnamed Drainage 1 located at reference point 33°32.846' N x -111°33.26' W, then following Unnamed Drainage 1 generally southeast for 1.6 miles along the north side to reference point 33°32.316' N x -111°31.823' W, then following Unnamed Drainage 2 generally north for 2 miles along the west side back to the starting point along the Salt River, as depicted in Exhibit B.

PURPOSE

The purpose of this Order is to protect Bald Eagle nest sites in compliance with the Bald and Golden Eagle Protection Act, 16 U.S.C. 668, during the breeding season in areas of recreational use where noise is likely to adversely affect the success of nesting and fledgling eagles.

IMPLEMENTATION

1. This Order shall be in effect from December 1, 2023, at 12:00 p.m. through June 30, 2024, at 12:00 p.m., unless rescinded.
2. Maps identifying the Described Areas are attached and made part of this Order as Exhibits A and B. For a digital version of this Order and Exhibits A and B, go to <https://www.fs.usda.gov/alerts/tonto/alerts-notice>
3. Unless otherwise expressly defined in this Order, the terms used in this Order are

defined by the regulations of the Secretary of Agriculture, 36 C.F.R. Chapter II, Parts 200-299. If there are terms in this Order that are not expressly defined in the Order or 36 C.F.R. Chapter II, Parts 200-299, their meaning shall be determined by their plain language definitions.

4. A violation of the above prohibitions is punishable as a Class B misdemeanor by a fine of not more than \$5,000 for individuals and \$10,000 for organizations, or by imprisonment for not more than six months, or both. 16 U.S.C. § 551; 18 U.S.C. §§ 3559, 3571, and 3581.
5. Contact the Mesa Ranger District in Mesa, AZ, (480) 610-3300, and the Tonto National Forest Supervisor's Office in Phoenix, (602) 225-5200, for more information about this Order.
6. This Order supersedes any previous Orders prohibiting the same or similar act in the same Described Areas.

Signed and issued on November 21, 2023.

NEIL
BOSWORTH
Neil Bosworth
Forest Supervisor
Tonto National Forest

Digitally signed by NEIL
BOSWORTH
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